



Crl.O.P.No.28656 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.561 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 64, 308(2), 78, 351(2) of the BNS, the present petition has been filed seeking anticipatory bail.

2. The learned counsel for the petitioner submitted that, he is not pressing the petition in respect of the 1st, 2nd & 3rd petitioners. Pleading innocence on the part of the 4th petitioner, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court in respect of the 4th petitioner, who is the father of the 1st accused. He further submits that the 4th petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail is that, the main accused Keerthivasan, had induced the



defacto complainant and involved in physical intercourse with her and also received a sum of Rs.3,50,000/- and also other jewels by threatening that he will upload her obscene photographs in the social media. He further submitted that, the petitioners (1to 3) herein also supported A1 and threatened the defacto complainant. He further submit that, there is no specific overt act against the 4th petitioner.

4. In view of the submissions made by the learned counsel for the petitioners that he is not pressing the petition in respect of 1st, 2nd & 3rd petitioners, **this Criminal Original Petition is dismissed in respect of 1 to 3 petitioners.** Considering that, there is no specific overt act against the 4th petitioner, this Court is inclined to grant anticipatory bail to the 4th petitioner.

6.Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, **this Court is inclined to grant anticipatory bail to the 4th petitioner** with certain conditions and



accordingly, the 4th petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Tiruvallur** on condition that the 4th petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the 4th petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the 4th petitioner shall report before the respondent police everyday at 10.30.a.m., for a period of two weeks and thereafter on every Saturday at 10.30.a.m., until further orders

[c] the 4th petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the 4th petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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action against the 4th petitioner in accordance with law as if the conditions have been imposed and the 4th petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

7. Accordingly, this Criminal Original Petition is partly allowed.

05.12.2024

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